

**UNITED STATES DISTRICT COURT  
DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

Duane J. Seelye,	)	
	)	
Plaintiff,	)	<b>ORDER OF DISMISSAL</b>
	)	
vs.	)	
	)	Case No. 1:05-cv-130
The Burlington Northern and Santa Fe,	)	
Railway Company; and Brotherhood	)	
Railway Carmen Division-Transportation	)	
Communications International Union,	)	
	)	
Defendants.	)	

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Before the Court is a Stipulation for Dismissal filed on October 4, 2007, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure. The parties have informed the Court that they have reached an agreement to resolve this matter. The Court **ADOPTS** the parties' "Stipulation for Dismissal" (Docket No. 39) and **ORDERS** that the case be dismissed with prejudice and without costs or disbursements to either party.

**IT IS SO ORDERED.**

Dated this 5<sup>th</sup> day of October, 2007.

/s/ Daniel L. Hovland  
Daniel L. Hovland, Chief Judge  
United States District Court